

appeal may simply maintain the judge's decision and put us squarely back where we have been in recent weeks, trying to address the matter Congressionally—trying to reaffirm well-established Congressional intent that has been followed for the past 20 years while striving for improvements in the way mining is conducted.

In the meantime, with the scales tipped against them, mining families must hold on to a crumbling ledge. The heel is poised above their fingertips, ready to mash down.

We have a pretty good idea who the opponents of this effort are. But what of the supporters? Let me tell you who is standing by us: The United Mine Workers of America; the National Mining Association; the U.S. Chamber of Commerce; the Bituminous Coal Operators Association; the AFL-CIO—hear that, White House, the AFL-CIO—the National Association of Manufacturers; the Association of American Railroads; the United Transportation Union; the Norfolk Southern Railroad; CSX Railroad; the Brotherhood of Railroad Signalmen; the International Union of Operating Engineers; the Brotherhood of Maintenance of Way Employees; the Brotherhood of Locomotive Engineers; the Transport Workers of America; the Brotherhood of Locomotive Engineers; the International Brotherhood of Electrical Workers; the Utility Workers Union of America; American Electric Power.

You see, the environmentalists sent a letter to the White House, and they listed a few organizations that were supporting their opposition to this amendment. But listen to this list, too. This amendment has its friends.

I continue with the reading of the list: the Southern States Energy Board; the Southern Company; the United Steelworkers of America; the Independent Steelworkers Union—it isn't just coal miners, you see; these are brothers—the Laborers International Union of North America; the American Truckers Association; the International Brotherhood of Teamsters; the American Waterways Operators; the International Union of Transportation Communications; the American Federation of Teachers; the American Federation of State, County, and Municipal Employees; the American Federation of Government Employees—White House, it isn't just ROBERT BYRD and MITCH MCCONNELL and JAY ROCKEFELLER and Senator BUNNING, PETE DOMENICI, LARRY CRAIG, and PHIL GRAMM, and the fine Senator who sits in the Chair, PAT ROBERTS. It isn't just these. It isn't just the House delegation, the three Members of the House from West Virginia. These are not alone.

It is also the National Council of Senior Citizens.

These groups—representing millions of citizens—agree with us that a legis-

lative remedy is needed, and is needed now. They agree that there must be a balanced approach. What this amendment does is simple. It establishes a fair, moderate balance between jobs and the environment, while also providing for additional review and regulation once the environmental impact study is complete.

It is time to put aside whatever animosity exists between the coal mining industry and the environmental movement.

I am not much for making predictions, but I can make this one: the coming years will bring us more challenges like this, when the environment and the economy must be harmonized. Today is a test of our ability to deal those challenges ahead.

This nation can put a man on the moon. Surely, we can adopt a solution to this problem that protects the environment and protects jobs of the coal fields.

This amendment seeks to go back to the regulations and the agreements that made up the status quo ante before the judge's order—that is all we ask—the status quo ante agreed upon by the administration's EPA, by the administration's Army Corps of Engineers, by the administration's Department of the Interior, the Office of Surface Mining. That is what we ask. And we ask not only for justice, but we ask also for mercy for the coal miners and the other working people of America.

I ask unanimous consent that the names of the cosponsors and sponsors of this amendment be printed in the RECORD, and they are as follows:

Senators BYRD, MCCONNELL, ROCKEFELLER, BUNNING, REID, CRAIG, BRYAN, HATCH, BENNETT, MURKOWSKI, CRAPO, ENZI, BURNS, and KYL. I have not put forth any big effort to shop this around. I also add Senators BREAUX, SHELBY, GRAMM, and GRAMS, as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The distinguished Senator from Kentucky is recognized.

MORNING BUSINESS

Mr. MCCONNELL. I ask unanimous consent that there now be a period of morning business until the hour of 5 p.m. and that the time be divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

BYRD-MCCONNELL MINING AMENDMENT

Mr. MCCONNELL. Mr. President, I first thank my friend from West Virginia for his leadership on this extraordinarily important issue to my State and to his and, for that matter, to all the people of Appalachia where coal is mined.

Thanks to my friend from West Virginia, I had a unique experience last week. As the proud possessor of a zero rating from the AFL-CIO, I had never been invited to a rally by the United Mine Workers of America. Thanks to the distinguished Senator from West Virginia, who I assume warned the crowd to say nice things or at least to refrain from throwing anything, I joined him on the west front of the Capitol last Tuesday and had an opportunity to watch Senator BYRD in action in a different environment. I have seen him many times on the floor, always persuasive and always effective, but never before a rally largely of his people and my people who make their livelihood mining coal.

I must say, it was a memorable experience. If I ever do my memoirs, I say to my friend from West Virginia, that experience will be in it. We have joined together today. And there are many others on this side of the aisle, and I hope we will have some on that side of the aisle, who have had enough of this administration declaring war on legal industries engaged in an honest effort to keep the engines of this country moving forward. We have a number of Republican Senators from the West, and they all informed us over the years about the war on the West. Senator DOMENICI and Senator CRAIG have educated some of us southerners about the problems they have had. And I am pleased to say I have supported them over the years, without exception, in their efforts to preserve those jobs in the mining industry out west.

Well, I would say the war on the West is moving east, and we are beginning to feel the sting. Even though this amendment was generated by a very poorly reasoned district court decision in the Federal court in West Virginia, let me say that is just the beginning, as the Senator from West Virginia has pointed out; it is just the beginning.

All the Byrd-McConnell amendment seeks to do—not just for coal mining but for hard rock mining as well—is to restore us to the existing law, at least with regard to coal mining, as the distinguished Senator from West Virginia has pointed out. The letter from the White House, from Chief of Staff John Podesta to the President, either lies or is woefully ill informed.

It is clear to this Senator that the people downtown don't care what the facts are. They don't care about the 20,000 coal miners in West Virginia and the 15,000 coal miners in Kentucky. They really don't care. I don't think they have bothered to read the amendment of the Senator from West Virginia because, as he pointed out a few moments ago with regard to coal mining, we are seeking to reestablish the status quo, agreed to and entered into by the most radical EPA in the history of the country. There is no question in my mind that whenever any environmental group in America hiccups, it is

felt downtown. Anytime they object to anything, the administration falls in line.

It has been fascinating to watch this issue develop because it pits the environmentalists against the unions—truly a Hobson's choice for the administration. When they had to pick a side between the environmentalists and the coal miners in West Virginia and in Kentucky, it is pretty clear whose side they chose. They don't care about these jobs. They are not interested in reading this amendment. They really don't care what is in the amendment. They are willing to sacrifice the 20,000 coal-mining jobs in West Virginia and the 15,000 coal-mining jobs in Kentucky in order to score points with a lot of environmentalists—who, I assume, enjoy having electricity all the time so they can read their reports—decrying the people who work in the industry so important to our States. Clinton and GORE are determined to put the agenda of the fringe environmental groups and Presidential political concerns ahead of the needs of coal miners in Appalachia.

As I said earlier in a colloquy with the Senator from West Virginia, and as he referred to in his speech, the President came to Appalachia last summer. He happened to have picked my State. He came to Hazard, KY. It was a large crowd. They were honored to have him there. The mayor of Hazard is still talking about it. It was one of the high points of his life. The President looked out at the people in Hazard, many of whom make a living in the coal mines, and he said, "I am here to help you."

Well, Mr. President, we need your help. I assume the whole idea behind coming to Kentucky was not to increase unemployment. My recollection of what that visit was about was how the Federal Government could actually produce new jobs for the mountains—something a lot of people have talked about and few have been able to deliver. Well, we would like to have new jobs, Mr. President, but I can tell you this: We would rather not lose any more of the few jobs we have remaining. That is not a step in the right direction.

We don't have as many coal jobs as we used to. The production is about the same. The employment is much smaller. Every time there has been an improvement in the coal-mining industry—whether on top of the mountain or underneath the mountain—safety has gone up, and that is important. But employment has gone down. We are not yet ready to walk away from coal in this country. We have not built a new nuclear plant in 20 years and are not likely to build any more. These people are engaged in an indispensable activity. They would like to have a little support from down on Pennsylvania Avenue. Where is the compassion? Where is the concern about these exist-

ing jobs in a critically important industry for our country?

Senator BYRD has really covered the subject, and there is not much I could add, other than just to read once again what this amendment is about. Nothing in our amendment modifies, supersedes, undermines, displaces, or amends any requirement of or regulation issued under the Federal Water Pollution Control Act, commonly referred to as the Clean Water Act, or the Surface Mining Act of 1977. So in response to this outrageous and ridiculous court decision, we have not proposed changing the law. The judge, in his decision, has made it clear that he expects us to clear this up. He is inviting us to legislate. That is what we are hoping to do.

The EPA, the Office of Surface Mining, the Corps of Engineers, and other relevant agencies are in the process of conducting a thorough environmental impact study. At the conclusion of this process, if any of these agencies believe it is necessary, they may create new environmental regulations addressing the practice of mountaintop mining. Some might say that Senator BYRD and I and others are trying to delay the inevitable. I argue just the opposite. I argue that, by maintaining the status quo and allowing the EIS to move forward, you allow coal operators the ability to make the long-term plans essential to the viability of this industry.

So there are only two things you need to remember about our amendment: No. 1, it doesn't alter the Clean Water Act. No. 2, it doesn't alter the Surface Mining Act. It seeks to preserve the status quo.

I say to all of you who you are going to be down here asking us someday to help you save jobs in your State because of some outrageous action on the part of this administration—and some of you have done that already—we need your help. We need your help. This is an extraordinarily important vote to our States. The honest, hard-working people who make their living in the mines are under assault by this administration, and we would like to call a halt to it. We hope we will have your help in doing that.

Let me conclude by thanking again the Senator from West Virginia for his extraordinary leadership on this important issue to his State and to my State and, frankly, we believe, to a whole lot of other States because the principle is very sound. We call on our colleagues from the West—even those of us who have been voting with you over the years weren't quite sure what it was all about, but we have figured it out. This whole thing is moving its way east. We need your help.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from Idaho is recognized.

ORDER OF PROCEDURE

Mr. CRAIG. Mr. President, I ask unanimous consent that following my statement, Senator ROCKEFELLER from West Virginia be allowed to speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. CRAIG. Mr. President, I ask unanimous consent that morning business be extended until 5:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

BYRD-McCONNELL MINING AMENDMENT

Mr. BYRD. Will the Senator yield?

Mr. CRAIG. Yes.

Mr. BYRD. Mr. President, I forgot to mention the specific names of two Senators cosponsoring this amendment. The two are Nevada Senators, Mr. REID and Mr. BRYAN. I wanted to mention their names for the RECORD.

Mr. CRAIG. Mr. President, I am glad the Senator from West Virginia has included our two colleagues from the State of Nevada. Today, Nevada is probably the lead mining State in our Nation as it relates to the production of gold.

For the last hour you have heard probably some of the most eloquent statements spoken on this floor on the issue of coal mining. The Byrd amendment does not deal only with coal, although it is extremely important, and the public attention of the last week has been focused on a judge's opinion about coal, coal mining in West Virginia, Kentucky, Pennsylvania, and up and down the Appalachia chain of this country.

But the amendment also has something else in it that my colleague from West Virginia and I agreed to some time ago: When we talk on this floor about mining, when we talk about the economy of mining, the environment of mining, and the jobs of mining, we would stand together; that we would not allow our political differences to divide us. Because if you support the economy of this country, you have to stand together.

I am absolutely amazed that the Speaker of the House or the senior Senator from West Virginia would get a letter from the White House of the kind to which both he and the Senator from Kentucky have referred. Lying? I hope not. Uninformed? I doubt it. Here is the reason I doubt their lack of information.

For the last 7 years, this administration has been intent on changing current mining law. I am referring primarily to the law of 1872. I am referring primarily to hard-rock mining on public lands, because the laws that the